

SIMPLE RESOLUTION.

By Senator Hudspeth:

Whereas, On the 8th, 9th and 10th of May in this present year of grace, 1911, the streets of El Paso, Texas, a city of 50,000 souls, were swept and its homes devastated by a storm of bullets fired from the Republic of Mexico into the United States, killing and wounding something like seventeen citizens of the city of El Paso who were going about their duties and following their daily avocations, by the Federal soldiers of Mexico and by the supporters of the Mexican revolution; and

Whereas, On those days and by those bullets as aforesaid American citizens were killed and wounded on American soil under the very shadow of the flag which did not protect them from violence and itself from outrage; and

Whereas, No attonement or redress has as yet been given or offered those innocent victims of the violence of contending and foreign factions, who sacrificed Americans on American soil, upon the altars of Mexican ambition or resentment; and

Whereas, The events of the recent past may be repeated in the immediate future and Americans again slaughtered and murdered on American soil, that Mexico may at any time again change its president and its governor; and

Whereas, The United States if unable to defend its citizens who have been stricken upon its territory by the weapons of the foreigner, should at least ascertain and record the wrongs which they have suffered and assist in obtaining compensation for the same; and

Whereas, The Secretary of State of the United States of America has written to numerous claimants in the city of El Paso and along the border who have suffered loss, and to the attorneys representing the relatives of those who suffered death, stating that owing to the fact that Mexico had appointed a commission to inquire into said claims, that the said claimants should appear in person in the City of Mexico, some 1400 miles distant from the homes of said claimants, and make their pleas for restitution before said commission, the said Secretary intimating very broadly that the United States would take no further action towards securing of payment for loss occasioned by the

bullets of the Federal soldiery and insurrectos, and going no further in the protection of her citizens, the said Secretary merely suggesting as aforesaid, that they appear and present their claims in person before said commission. Therefore, be it

Resolved, by the Senate of the State of Texas, That the two United States Senators of Texas in the Senate of the United States be and are hereby instructed, and the Representatives of Texas in the National Congress be and are hereby requested to urge and obtain the appointment by the Government of the United States of a suitable board or commission to proceed at once to those places along the frontier of the United States and Mexico where such wrongs have been suffered, and with power to hear the evidence, ascertain the facts, and to determine what in their opinion would be a suitable compensation to the victims or their relatives; and that said commission further make report of said findings to either the commission appointed by the Mexican Government or to the President of the Mexican Republic, the payment by Mexico at the demand of the United States of the compensation found by that commission to be just and reasonable; and be it further

Resolved, That in the opinion of this Senate a supine submission to the encroachments of foreigners invites their repetition. And be it further

Resolved, That the Secretary of the Senate be and is hereby instructed to convey this resolution at once to the Texas Senators and Congressmen to the National Congress, Washington, D. C.

The above resolution was read and adopted.

ADJOURNMENT.

On motion of Senator Cofer the Senate, at 4:12 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

SECOND DAY.

Senate Chamber,
Austin, Texas,
Tuesday, August 1, 1911.

The Senate met pursuant to adjournment, and was called to order by President Pro Tem. Terrell.

Roll call, quorum being present, the following Senators answering to their names:

Adams.	Murray.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Ccfer.	Ratliff.
Collins.	Real.
Greer.	Sturgeon.
Hudspeth.	Terrell, McLennan.
Hume.	Terrell, Wise.
Johnson.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.

Absent.

Willacy.

Prayer by the Chaplain.

NOTIFICATION COMMITTEE FROM HOUSE.

A committee from the House here appeared at the bar of the Senate and notified the Senate that the House was organized and ready for business.

The Senate committee, appointed on yesterday, also reported that they had performed their duties, and were discharged.

MESSAGE FROM THE GOVERNOR.

Here the Chair laid before the Senate and had read a message from the Governor, the same having been received on yesterday, but was not read on account of the Senate not having been organized. (See Appendix for the message in full.)

(Senator Sturgeon in the chair.)

SIMPLE RESOLUTION.

By Senator Hudspeth:

Whereas, There is now pending in the National Congress a bill that vitally affects the farmers and the stock raisers of Texas; and

Whereas, Such bill as it passed the National House of Representatives levies an unequal duty, making an unjust discrimination against raw material in favor of manufactured articles, levying a duty of 20 per cent ad valorem on importations of raw wool and a duty of 50 per cent

on importations of manufactured articles, protecting the strong against the weak; therefore be it

Resolved, That it is the sense of the Senate of Texas that the manufacturer and the producer should share, and share alike, in an equal distribution of the tariff, and that a tariff for revenue only should be levied, but that the same amount of duty should be levied upon the raw material as that placed upon the manufactured article, and that we hereby request the members of the National Congress from Texas to stand for an equitable distribution of said tariff, and we likewise instruct our Senators in Congress to advocate the same principle, and that we urge the Texas members both from the House and Senate on the Free Conference Committee to consider said measure, to stand solidly for the equitable distribution of said tariff to the end that the products of Texas shall not be discriminated against in favor of the manufacturers of the North and East; and we further urge upon said members from Texas of the Conference Committee to stand for the same duty upon mohair as retained upon wool, the mohair industry being a new industry both in Texas and the United States, just on the verge of developing into a great and growing industry, requiring the same protection that is accorded the producers of wool, realizing that as a duty is laid upon wool, that in a like degree the farmer is protected in the price of his cotton;

That the Secretary of the Senate is hereby instructed to forward a copy of this resolution to each member of the National Congress from Texas and to each of the United States Senators from Texas.

The above resolution was read and

Senator Vaughan moved to refer the same to the Committee on Commerce and Manufactures.

Senator Hudspeth made the point of order that the resolution being a simple resolution did not have to be referred to a committee.

The Chair, Senator Sturgeon, overruled the point of order, holding that a simple resolution could be referred to a committee.

Senator Murray offered the following amendment to the resolution:

Amend the resolution by inserting:

We also favor free cotton, bagging and ties.

Senator Hudspeth moved to table the motion to refer the resolution to a committee, which motion to table was lost by the following vote:

Yeas—11.

Adams.	Paulus.
Astin.	Real.
Hudspeth.	Terrell, McLennan.
Hume.	Watson.
Meachum.	Weinert.
Murray.	

Nays—16.

Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, Wise.
Greer.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.

Present—Not Voting.

McNealus. Peeler.

Absent.

Kauffman. Willacy.

Action then recurred on the motion to refer the resolution and the amendment to the Committee on Commerce and Manufactures, which motion was adopted by the following vote:

Yeas—17.

Bryan.	Ratliff.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, Wise.
Greer.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
Perkins.	

Nays—11.

Adams.	Murray.
Astin.	Paulus.
Hudspeth.	Terrell, McLennan.
Hume.	Watson.
Kauffman.	Weinert.
Meachum.	

Present—Not Voting.

McNealus. Peeler.

Absent.

Willacy.

MESSAGE FROM THE GOVERNOR.

The Chair here had read a message from the Governor, received today. (See message immediately following the message on yesterday.)

(President Pro Tem, Terrell in the chair.)

SIMPLE RESOLUTION.

By Senator Lattimore:

Resolved, That the rules of the Regular Session of the Thirty-second Senate be adopted as the rules of this First Called Session thereof until same may be changed or amended.

The above resolution was read and adopted.

REGULAR ORDER OF BUSINESS.

The rules having been adopted, the Chair called the regular order of business.

SIMPLE RESOLUTION.

By Senator Lattimore:

Whereas our friend and fellow Senator, Hon. John G. Willacy, is prevented from being present by illness, to the great loss of the Senate of Texas, and

Whereas we hope sincerely he will soon recover and be able to take his accustomed place; therefore be it

Resolved, That we extend our heartfelt sympathy to him and his family in his illness, and express to them our hope for his speedy restoration.

Lattimore, McNealus, Ratliff, Mayfield, Sturgeon, Vaughan, Cofer, Townsend, Greer, Carter, Warren, Ward, Collins, Johnson, Bryan, Adams, Astin, Hudspeth, Hume, Kauffman, Meachum, Murray, Paulus, Peeler, Perkins, Real, Terrell of McLennan, Terrell of Wise, Watson, Weinert.

The resolution was signed by the first fifteen Senators, and on motion the entire membership of the Senate was directed to be signed to same.

The resolution was unanimously adopted.

BILLS AND RESOLUTIONS.

By Senator Weinert:

Senate bill No. 1, A bill to be entitled "An Act making appropriation to pay the per diem pay and mileage of members and per diem pay of officers and employees of the First Called

Session of the Thirty-second Legislature of the State of Texas, convened July 31, 1911, by proclamation of the Governor, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Weinert:

Senate bill No. 2, A bill to be entitled, "An Act making appropriation to defray the contingent expenses of the First Called Session of the Thirty-second Legislature of the State of Texas, convened July 31, 1911, by proclamation of the Governor, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Weinert:

Senate bill No. 3, A bill to be entitled, "An Act making appropriations for the support of the State Government for two years, beginning September 1, 1911, and ending August 31, 1913, and for other purposes, and prescribing certain regulations and restrictions in respect thereto; to make additional appropriations for the support of the State Government for the year ending August 31, 1911, and to pay various miscellaneous claims against the State, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Vaughan, et al:

Senate Concurrent Resolution No. 1, Resolved by the Senate, the House of Representatives concurring, that the Governor of this State be and he is hereby requested to designate and present to the present Called Session of this Legislature, for the consideration of the Legislature and for legislation, the following subjects:

First. Legislation amending the election laws of this State so as to provide against illegal payment of poll taxes and to enact such further laws as may be necessary to safeguard the ballot boxes and secure fair and honest elections without a taint of irregularity, fraud or bribery.

Second. Legislation prohibiting breweries, brewery owners and stockholders therein, saloons, saloon owners, and all other persons connected, directly or indirectly, with the liquor traffic in this State, from contributing to campaign funds to influence elections, and to prohibit all

persons within this State receiving, using or disbursing such funds as may be so contributed by the liquor traffic, its associations, subsidiaries or persons connected therewith, and to provide adequate and effective penalties for the violation of such law.

Third. The enactment of suitable legislation requiring all persons engaged in the sale of intoxicating liquor to close their places of business from (7) seven o'clock p. m. until (6) six o'clock a. m., and to keep the same closed, and to provide suitable penalties for the sale of intoxicating liquors by such persons doing business in this State in violation of such law.

Fourth. Legislation prohibiting the sale of liquor within this State except in unbroken packages and quantities not less than one quart, and prohibiting the same from being drunk on the premises where sold, with effective penalties for violation of such law.

Fifth. Legislation prohibiting the sale of intoxicating liquors within ten miles of any State educational institution, including the State University, that is supported in whole or in part by appropriations from the State's general revenue, and for effective penalties for the violation of such law.

Sixth. Legislation increasing the license tax on individuals engaged in the retail or wholesale of intoxicating liquors.

VAUGHAN,
MAYFIELD,
TOWNSEND,
JOHNSON,
PERKINS,
RATLIFF,
WARD,
STURGEON,
WARREN,
MCNEALUS,
TERRELL of Wise,
COFER,
CARTER,
COLLINS,
GREER,
BRYAN,
LATTIMORE.

Read first time and referred to Committee on Commerce and Manufactures.

ADJOURNMENT.

Senator Lattimore, at 11:30 o'clock a. m., moved that the Senate adjourn until 10 o'clock tomorrow morning,

which motion was adopted by the following vote:

Yeas—17.

Bryan.	Ratliff.
Carter.	Real.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Greer.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
Paulus.	Weinert.
Perkins.	

Nays—13.

Adams.	Meachum.
Astin.	Murray.
Hudspeth.	Feeler.
Hume.	Sturgeon.
Johnson.	Terrell, McLennan.
Kauffman.	Watson.
McNealus.	

Absent.

Willacy.

APPENDIX A.

Following is the message from the Governor in full.

Governor's Office,
Austin, Texas, July 31, 1911.
To the Texas Legislature:
The Regular Session of the Legislature having adjourned without

providing for the raising of sufficient revenue and the passing of a bill making necessary appropriations for the support of the State Government made it necessary to re-convene the Legislature in extra session for this purpose. The condition of the State's finances is anything but encouraging, and it will be impossible to avert a deficiency in the near future. The Treasury would have been registering warrants before this except for the special efforts to prevent it.

I shall not discuss in detail the causes leading up to the present conditions but will place before the Legislature a brief summary of the facts. On July 31, 1910—one year ago—the cash balance in the State Treasury to the credit of the general revenue was \$1,360,909.00; the cash balance for the same date this year in the same fund, is \$32,975.00, or \$1,327,924.00 less on hand now than was in the Treasury one year ago.

Special Appropriations by Thirty-first Legislature.

The Thirty-first Legislature made special appropriations amounting to \$1,971,968.61 as follows, of which amount \$1,260,942.51 has been expended:

	Appropriation	Expended	Unexpended
Mileage per diem of members and employes.....	\$294,000 00	\$242,158 20	\$ 51,841 80
Contingent expenses	57,000 00	48,579 48	8,420 52
Purchase of Lamar papers....	10,000 00	10,000 00	.....
Deficiencies for year ending August 31, 1906, to August 31, 1909.....	27,772 21	26,950 00	822 21
Refund unearned liquor dealers' licenses, under Chapter 138, General Laws, 30th Legislature.	350,000 00	223,247 96	126,752 04
Establishing waterworks system	250,000 00	.....	250,000 00
State Levy and Drainage Board, year 1909.....	25,000 00	20,154 57	4,845 43
State Levy and Drainage Board, year 1910.....	25,000 00	3,355 45	21,644 55
Purchase of John H. Reagan papers	10,000 00	10,000 00	.....
Establishing cotton factory at penitentiary	100,000 00	.....	100,000 00
Penitentiary Investigating Committee	5,000 00	5,000 00	.....
To determine spinable cotton	1,000 00	874 94	125 06
Normal school providing teacher of agriculture, etc., year 1910.....	18,000 00	18,000 00	.....

	Appropriation	Expended	Unexpended
Normal school providing teacher of agriculture, etc., year 1911.....	\$18,000 00	\$15,650 16	\$2,349 84
Instruction in agriculture, etc., Summer School, year ending August 31, 1910	3,000 00	2,762 13	237 87
Instruction in agriculture, etc., Summer School, year ending August 31, 1911	3,000 00	797 45	2,202 55
Teaching and establishing agriculture, etc., in public schools, year ending August 31, 1910.....	32,000 00	22,000 00	10,000 00
Teaching and establishing agriculture, etc., in public schools, year ending August 31, 1911.....	32,000 00	28,000 00	4,000 00
Establishing West Texas Normal College, expenses of Commissioners	1,500 00	669 59	830 41
To build and equip West Texas Normal College..	50,000 00	50,000 00	.....
Support and maintenance, West Texas College....	27,500 00	25,238 21	2,261 79
Submitting Constitution, amendments (4)	20,000 00	12,262 42	7,737 58
Experimental culture of tobacco	2,000 00	1,666 25	333 75
Enforcing any and all laws..	25,000 00	23,044 83	1,955 17
Providing for additional experimental stations, year ending August 31, 1910	25,000 00	25,000 00	.....
Providing for additional experimental stations, year ending August 31, 1911	25,000 00	15,345 36	9,654 64
Establishing Lepers Home..	40,000 00	752 15	39,247 85
Returning consumptives	10,000 00	168 85	9,831 15
State Board of Health.....	8,000 00	2,141 00	5,859 00
Presidential electors.....	1,650 00	1,534 80	115 20
Re-codifying the laws.....	15,000 00	15,000 00	.....
To cover deficiencies for years 1905 to 1909, and supplemental appropriation	187,150 00	164,834 39	22,315 61
Iron industries in penitentiary	100,000 00	100,000 00	.....
Re-arranging General Land Office	15,000 00	5,800 99	9,199 01
Making improvements in Lunatic Asylum.....	28,700 00	27,976 37	723 63
Building and equipping laundry in State Lunatic Asylum	12,500 00	11,457 65	1,042 35
To pay off bond indebtedness of State.....	15,500 00	13,408 50	2,091 50
Clerk for Tax Commissioner.	200 00	200 00	.....
Secretary of State, copying laws	75 00	75 00	.....
E. A. Bolmes, salary, Pension Commissioner	438 90	438 90	.....
Interest on State bonds.....	61,582 50	61,582 00	.....
Repairs on boiler at Deaf & Dumb Asylum	1,200 00	1,122 76	77 24

	Appropriation	Expended	Unexpended
Improving sewer system in North Texas Insane Asylum	\$5,000 00	\$5,000 00	.....
Repairs on North Texas Insane Asylum.....	2,500 00	2,496 27	\$3 73
Carrying into effect Fire Rating Board.....	25,000 00	11,109 04	13,890 96
Total.....	\$1,971,968 61	\$1,260,942 51	\$711,026 10

The above table shows an appropriated demand against current revenues of \$711,026.10.

The regular appropriation bill, passed by the Thirty-first Legislature carried a total of \$3,705,443.00, and of this amount \$3,081,819.67 had already been expended up to July 26, 1911, leaving unexpended \$623,623.33. The unliquidated demands, therefore, by general and special ap-

propriations by the Thirty-first Legislature against this year's revenues, amount to \$1,334,649.43.

Special Appropriations by Thirty-second Legislature.

Amount of special appropriations and for deficiencies by the Regular Session of the Thirty-second Legislature is shown below:

	Appropriation	Expended	Unexpended
Mileage and per diem of members and employes.	\$120,000 00	\$ 95,493 31	\$ 24,506 69
Contingent expenses.....	20,000 00	19,130 56	869 44
Eradication of sheep scab, year ending August 31, 1912	3,600 00	.....	3,600 00
Repairs North Texas Asylum	7,195 00	7,195 00	.....
Architect fees.....	359 75	359 75	.....
Public buildings and grounds, deficiency	5,000 00	4,057 70	942 30
Repairs and painting Capitol Building, etc., deficiency	1,000 00	569 26	430 74
Feed for team, deficiency....	75.00	62 50	12 50
Erecting monument over remains of Stephen F. Austin	10,000 00	.....	10,000 00
Erect and equip boys dormitory, State Orphans' Home	50,000 00	6,821 21	43,178 79
Erecting monument over remains of Elizabeth Crockett	2,000 00	.....	2,000 00
Establishing rural high school, year ending August 31, 1912	50,000 00	.....	50,000 00
Establishing rural high school, year ending August 31, 1913	50,000 00	.....	50,000 00
Establishing home for wives and widows of Confederate soldiers and sailors	20,000 00	.....	20,000 00
Carrying into effect Pure Food law.....	1,800 00	653 77	1,146 23
Clerk for Pension Department	875 00	625 00	250 00
For deficiencies and support of State Government....	164,365 24	156,452 12	7,913 12
Establishing tuberculosis colony	100,000 00	.....	100,000 00
Operating expenses of tuberculosis colony.....	40,000 00	458 10	39,541 90

	Appropriation	Expended	Unexpended
Additional appropriation to State Levy and Drainage Board	\$12,000 00	.....	\$12,000 00
Submitting Constitutional Amendment	23,000 00	\$4,073 68	18,926 32
For the destruction of wolves and other wild animals, effective September 1, 1912	100,000 00	.....	100,000 00
Total.....	\$781,269 99	\$295,951 96	\$485,318 03

Of which amount as shown, \$295,951.96 has already been expended, most of which was to pay the deficiencies already existing at the beginning of the present administration. The remaining unexpended \$485,318.03 of special appropriations by the late session of the present Legislature is either under the control of the Governor, and its expenditure can be deferred and paid out of revenues hereafter raised, or by the terms of the Act appropriating the money is not to be expended out of revenues for the present fiscal year.

Authorized deficiencies.

In addition, since the adjournment of the Regular Session of the Legislature, it has been necessary to create deficiencies as provided by law, in the amounts named and for the following purposes:

Department of Banking and Insurance.

March 17, 1911—Postage, stationery telegraphing and express for fiscal year ending August 31, 1911.....\$ 1,800 00
 March 29, 1911—Establishing additional experimental stations... 3,000 00

Commissioner of Pensions.

April 5, 1911—Stationery, postage and contingencies 200 00

State Mining Board

April 11, 1911—Traveling expenses for inspector 300 00

April 11, 1911—Repairs. 1,500 00
 State Lunatic Asylum.

Executive Office—Mansion and Grounds.

May 20, 1911—Fuel and light\$ 150 00

Executive Office.

May 20, 1911—Freight, postage and telegraphing 200 00

Public Printing.

May 25, 1911—1st, 2nd and 3rd class printing, binding, etc..... 15,000 00

Deaf and Dumb Institute.

June 20, 1911—Supplies and provisions..... 3,500 00

Comptroller's Office.

April 15, 1911—Contingent expenses..... 50 00

Department of Education.

May 3, 1911—Paper, printing and distributing county superintendents' records, etc. 1,600 00

Pure Food Commission.

May 4, 1911—Traveling and all other expenses 250 00

Blind Institute.

May 11, 1911—Groceries, provisions, supplies, etc. 2,500 00

Confederate Home.

May 10, 1911—Groceries, fuel, light, water, etc.. 11,000 00

Department of Agriculture.	
May 19, 1911—Stationery, postage, express and telegraphing \$	500 00
Southwestern Insane Asylum.	
June 13, 1911—Support, maintenance, etc., for additional patients	8,800 00
Attorney General's Office.	
June 21, 1911—Stationery, postage, telegraphing, telephoning, etc. . .	200 00
General Land Office.	
June 29, 1911—Surveying State lands	1,200 00
Public Buildings and Grounds.	
July 1, 1911—Labor, material, Capitol grounds, etc.	1,000 00
State Lunatic Asylum.	
July 8, 1911—Support and maintenance	15,000 00
Total approved deficiencies	\$67,750 00

The Figures Explained.

The foregoing tables show the total appropriations, general and special, made by the Thirty-first Legislature, amounted to \$5,677,411.61. To this amount should be added the appropriation to cover deficiencies and to meet emergencies passed by the Regular Session of the Thirty-second Legislature, and which have already been expended, to the amount of \$295,951.00, and the deficiencies authorized by the Governor since the adjournment of the Legislature of \$67,750.00; also, the estimated cost of the present Special Session of the Legislature of \$50,000.00, making a total demand against the revenues available for the present fiscal year of \$5,991,113.57, less the amount of \$763,400.53 of special appropriations paid out of the revenues for 1909 and 1910. This leaves a net charge against the revenues for the present fiscal year approximating \$5,227,713.04. The revenues to meet these expenses are derived from ad valorem taxes on the property in the State, and from special taxes. Under

the law, the ad valorem tax levy on the values for 1910 was not due until after the beginning of the present fiscal year. The revenue, therefore, from ad valorem taxes on last year's assessments is available for the payment of appropriations for the fiscal year which ends August 31, 1911. The total valuations for 1910 were \$2,388,500,124.00. The tax rate fixed by the Automatic Tax Board in July, 1910, on the assessments for that year was four cents on the hundred dollars. The total possible revenue from this source would be \$956,508.13, less 20 per cent, estimated by the Comptroller for the cost of assessing and collecting, delinquencies, and errors in assessments, or \$191,301.63. This would leave a net revenue from ad valorem taxes on the assessment of 1910 of \$765,206.50. The collection of revenue from all other sources credited to the general revenue from September 1, 1910, to July 24, 1911, according to a statement furnished by the Comptroller, amounted to \$2,747,768.81, or a total from ad valorem taxes and from all other sources of \$3,512,975.31. On the 31st day of July, 1910, there was a cash balance in the Treasury of \$1,360,909.00. On July 24, 1911, the unexpended balance of general appropriations amounted to \$623,623.33. The unexpended special appropriations amounted to \$711,026.10; deficiencies allowed and now due, \$67,750.00. The estimated cost for the present Special Session of the Legislature is \$50,000.00, making a total of \$1,452,399.43. To meet these obligations, three-fourths of the occupation taxes paid by liquor dealers and others paying an occupation tax, that may be collected from now until the first of September, and the special taxes collected between now and that date, are the only sources of revenue from which money can be collected to pay these expenses.

Total Revenues Collected.

The total amount of revenue paid into the Treasury to the credit of the general fund from all sources between the 15th day of July, 1910, and the 31st day of August, 1910, amounted to \$511,800.00, and it is fair to assume that a like amount will be paid into the Treasury to the credit of the general revenue for the

same period this year. Recapitulation, therefore, shows that we are confronted with the following condition:

Total demands of general and special appropriations, \$1,452,399.43.

Less:

Cash in

Treasury \$ 32,975.00

Taxes collected to

August 31 511,800.00 \$544,775.00

Deficit \$907,624.42

The total taxable values for the calendar year 1911 are reported to be \$2,485,067,799.00. A tax levy of five cents on the hundred dollars of this year's valuations, allowing the Comptroller's estimate of 20 per cent for the cost of assessing, and collecting, and for delinquencies and errors in assessments, would produce a net revenue of \$994,027.12. It is evident, therefore, that the last levy of the Automatic Tax Board was five cents on the hundred dollars of the 1910 assessments less than was necessary to pay the obligations which the outgoing administration and the Thirty-first Legislature contracted. This deficiency, as a matter of course, will have to be met by an extra tax levy of about five cents on the hundred dollars on the assessments for 1911.

The Cause and Effect.

The foregoing is a fair analysis of the State's financial condition at the present. There was a reduction in the tax rate on account of revenues paid into the Treasury in the shape of fines from corporations prosecuted for violation of the anti-trust laws of the State. These fines had been exhausted and absorbed on account of previous reductions in the tax rate, and, as shows above, the State Automatic Tax Board made no allowance for the exhaustion of the money from these fines, but made a further reduction in the tax rate, which will result in the beginning of the next fiscal year on September 1st with a deficiency of nearly \$1,000,000.00 in revenue, and without any cash in the Treasury. On the 1st of September, 1910, there was a cash balance in the Treasury of \$1,424,641.61; but instead of this amount of cash on the 1st of September next, we will be confronting a deficiency, as shown

by the statements above, approximating \$1,000,000.00, making a difference practically of \$2,400,000.00, or more than the total sum collected from corporations and paid into the Treasury on account of the anti-trust prosecutions.

The appropriation bill reported by the Finance Committee in the Senate and the Appropriation Committee in the House at the Regular Session of the present Legislature carried a total of \$4,797,058.00 for the fiscal year beginning September 1, 1911. The unexpended special appropriations amount to \$485,316.03. The total appropriations provided for in the general appropriation bill passed by the Thirty-first Legislature for the fiscal year beginning September 1, 1909, amounted to \$5,770,715.55; but one million of it was for the payment of the public debts, and this item and others were vetoed.

Estimated Requirements.

It is evident, therefore, that the present Legislature will have to take care of deficiencies and appropriations amounting, in round figures, to \$6,285,316.00. Allowing an increase of 10 per cent in the special taxes, we will collect approximately \$3,000,000.00 of revenue from all other sources than ad valorem taxes during the fiscal year beginning on the 1st day of September next and ending August 31, 1912. This will leave \$3,285,316.00 which the Legislature will have to provide for the levy of an ad valorem tax on the general property of the State, the taxable values for this year being \$2,485,067,799.00. Allowing the usual 20 per cent for the cost of assessing and collecting, and for delinquencies and errors in assessments, it will require an ad valorem tax rate of approximately 16 cents on the hundred dollars valuation for this year to meet these obligations of the State. This unfortunate condition in our finances is the result of manipulations under the Automatic Tax Board law. This law should be repeated and the tax rate fixed by the Legislature, as contemplated by the Constitution.

School Tax and Revenues.

The school tax rate was not lowered for 1910, and the available finances for the support of public education are therefore in reasona-

bly good condition. The amount of revenue received by the available public school fund from occupation and special taxes has gradually increased with each year. The ad valorem school tax rate remaining at 16 2-3 cents, with the increase of revenue from special taxes, as already mentioned, has enabled the State Board of Education to increase the per capita apportionment to \$6.50, making the total apportionment for the scholastic year ending August 31, 1911, \$6,293,748.50.

There is in the Treasury at this time to the credit of the available school fund the sum of \$47,239.40, with unpaid warrants outstanding against it amounting to \$70,792.81. There is yet to be apportioned to the counties, 20 cents per capita of the \$6.50, or \$193,653.80. There is due from the general revenue to the available school fund approximately \$30,000.00.

Prompt Action Urged.

I respectfully urge upon the Legislature prompt action in the passage of the appropriation bill. The fiscal year will close August 31, and unless prompt action is taken by the Legislature there will be no appropriations out of which the expenses of the State Government can be paid after that date.

I urge generous treatment of the State University, the Agricultural and Mechanical College, the Normal Schools, the College of Industrial Arts for Girls, and our agricultural experimental stations. I respectfully suggest that provision should be made for the housing of the students of the Agricultural and Mechanical College. For more than two years, a large number of these students have been tented upon the college campus. This condition should not prevail longer than the time it will take for the Legislature to make adequate provision for them.

I especially urge that the Legislature in fixing the tax rate particularly consider larger revenues for the common schools of the State. The terms of these schools should be lengthened and provision made for better compensation of teachers, to the end that better and more efficient instructors may be secured for the children attending our common schools. The Regular Session of the present Legislature passed a number

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of excellent school laws and made provisions for the establishment of rural high schools. You are to be congratulated upon the passage of this progressive legislation for the betterment of our educational system.

More Asylum Room Needed.

I trust that all necessary economy will be shown, yet I do not believe that we should be niggardly in the provisions made for our educational system, nor for the maintenance of our eleemosynary institutions. It has not been long since it was claimed there was ample room in the asylums to accommodate all the insane languishing in jail. This is not the condition, however, and the Legislature is now confronted with the fact that additional asylum room is needed. Humanity and an enlightened public policy demand that adequate provision should be made for the unfortunate insane.

Incident to the general question of appropriations and revenue is that of fixing the tax rate and appropriating money to pay deficiencies, and these subjects will be duly submitted.

Legislative Apportionment.

The Constitution (Section 28 of Article 3) provides that the Legislature shall, at its first session after the publication of each United States decennial census, apportion the State into senatorial and representative districts.

Senatorial Districts.

Section 25 of Article 3 of the State Constitution is in the following language:

"Section 25. The State shall be divided into senatorial districts of contiguous territory according to the number of qualified electors, as nearly as may be, and each district shall be entitled to elect one Senator, and no single county shall be entitled to more than one Senator."

I am transmitting herewith a statement showing the number of qualified voters in each senatorial district. This statement is made up from a list of poll tax payers by counties furnished by the Comptroller of the State. In this computation no allowance is made for those over 60 years of age who are not required to

pay poll tax, nor for those under 21 years of age at the time poll tax payments were due and since that time becoming old enough to vote.

The statement shows the inequality now existing in the senatorial districts, and justice demands a readjustment of same. For instance, the First Senatorial District has only 11,013 qualified voters, as shown by the poll tax list of the counties comprising that district, which is located in the extreme northeastern corner of the State. Compare with this the Twenty-ninth District, located in West Texas, with 36,753 poll tax payers, or more than three times as many as the First District; and with the Twenty-eighth District, situated in Western Texas, with 30,938 poll tax payers, nearly double the number paid in the Second District, two and one-half times as many as in the Third District, and twice as many as in the Fourth or Ninth Districts. The Thirtieth District has more than double as many as the First District; the Twenty-sixth District has nearly as many as the Twelfth and Fifteenth Districts combined; and the Twenty-fourth District has more than twice as many qualified poll tax payers as the First District.

I am attaching this statement to this message for the information of the Legislature, and have marked the same "Exhibit A."

Representative Districts.

Section 26 of Article 3 of the State Constitution fixes a different basis for apportioning the State into representative districts, and requires that it be done according to population. I quote the section of the Constitution in full relating to this subject as follows:

"Section 26. The members of the House of Representatives shall be apportioned among the several counties, according to the number of population in each, as nearly as may be, on a ratio obtained by dividing the population of the State, as ascertained by the most recent United States census, by the number of members of which the House is composed; provided, that whenever a single county has sufficient population to be entitled to a Representative, such county shall be formed into a separate representative district and when two or more counties are required to make up the ratio of rep-

resentation, such counties shall be contiguous to each other; and when any one county has more than sufficient population to be entitled to one or more Representatives, such Representative or Representatives shall be apportioned to such county, and for any surplus of population it may be joined in a representative district with any other contiguous county or counties."

I am attaching to this message a tabulated statement marked "Exhibit B." This statement shows the counties comprising each representative district as now constituted, with the population for each county and district, as shown by a certified copy of the census of the United States for 1910 now on file in the office of the Secretary of State. For convenience and the information of the Legislature the population of each county and each district, as shown by the census for 1900, is also given.

Unequal Representation.

This statement also shows great inequality in the representative districts as at present formed. It shows that the 101st Representative District now has a population of 84,568, with one member in the Legislature, whereas all of the districts as now formed were given one member of the House on a basis of about 23,000 population. The 102nd District has 62,047 population; the 103rd, 68,565 population; the 104th, 64,350; the 105th, 73,544; the 106th, 84,524; and the 107th, 45,543 population. All of these districts are in the western and northwestern portion of the State, and are clearly entitled to a larger voice in legislation than they have now. Other districts in the southwestern portion of the State, like the 97th, with a population of 44,730; the 95th, with 57,846; the 94th, with 40,332; and the 88th, with 39,865, are also without equal voice and influence in legislation under the present arrangement of legislative districts. This statement will apply to many other districts in the State, as shown by the tabulation of the population herewith transmitted in "Exhibit B."

In dividing the State into senatorial and representative districts, I sincerely invoke the spirit of fairness and equality of representation to all sections of the State.

In conclusion, I earnestly solicit the co-operation of the Legislature in the prompt accomplishment of the purposes for which this extraordinary session has been convened.

Respectfully submitted,
O. B. COLQUITT,
Governor of Texas.

EXHIBIT A.

SENATORIAL DISTRICTS.

First District.

Pop. 1910.

Bowie	3,831
Cass	4,575
Marion	1,288
Morris	1,319
Total.....	11,013

Second District.

Red River.....	4,370
Titus	2,504
Franklin	1,483
Hopkins	4,619
Delta	2,315
Total.....	15,291

Third District.

Lamar	6,656
Fannin	6,902
Total.....	13,558

Fourth District.

Grayson	10,016
Cooke	4,125
Total.....	14,141

Fifth District.

Collin	7,930
Hunt	7,735
Rains	1,088
Total.....	16,753

Sixth District.

Dallas	20,120
Rockwall	1,297
Total.....	21,417

Seventh District.

Van Zandt.....	5,447
Wood	3,848
Smith	5,694
Upshur	3,132
Camp	1,572
Total.....	19,693

Pop. 1910.

Eighth District.

Harrison	4,763
Rusk	4,216
Panola	3,107
Shelby	3,894
Gregg	1,467
Total.....	17,447

Ninth District.

Navarro	7,031
Henderson	3,305
Kaufman	4,853
Total.....	15,189

Tenth District.

Ellis	9,113
Johnson	6,188
Hill	6,405
Total.....	21,706

Eleventh District.

McLennan	10,220
Falls	4,789
Milam	5,739
Total.....	20,748

Twelfth District.

Limestone	4,731
Freestone	3,332
Robertson	3,427
Brazos	1,963
Total.....	13,453

Thirteenth District.

Anderson	4,321
Cherokee	3,739
Houston	3,627
Angelina	2,742
Trinity	1,709
Total.....	16,138

Fourteenth District.

Nacogdoches	3,686
San Augustine.....	1,277
Sabine	720
Newton	1,429
Jasper	1,431
Tyler	1,450
Liberty	1,621
Hardin	2,253
Orange	1,203
Jefferson	5,596
Total.....	20,666

Fifteenth District.

Leon	2,380
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	Pop. 1910.
Madison	1,613
Grimes	2,641
Montgomery	1,691
Walker	1,941
San Jacinto	1,365
Polk	2,273

Total.....13,904

Sixteenth District.

Harris	17,513
Fort Bend	2,138
Waller	1,573

Total.....21,224

Seventeenth District.

Chambers	524
Galveston	7,418
Brazoria	1,907
Matagorda	2,082
Wharton	2,994

Total.....14,926

Eighteenth District.

Colorado	3,029
Lavaca	4,387
Fayette	5,027
Austin	2,834

Total.....15,277

Nineteenth District.

Washington	3,711
Burleson	2,821
Lee	2,190
Bastrop	3,028

Total.....11,750

Twentieth District.

Williamson	6,547
Travis	7,861
Burnet	1,797
Lampasas	1,552

Total.....17,757

Twenty-first District.

Gonzales	3,581
Caldwell	2,889
Guadalupe	3,757
Comal	1,468
Hays	1,673
Blanco	801

Total.....14,169

Twenty-second District.

Jackson	971
Calhoun	575
Victoria	2,746
DeWitt	3,182
Goliad	1,238

	Pop. 1910.
Refugio	483
Bee	1,460
Live Oak	465
Karnes	1,822
Willson	2,353
Frio	871
Aransas	364
Atascosa	1,135

Total.....17,665

Twenty-third District.

Cameron	3,505
Hidalgo	1,279
Starr	1,852
Zapata	158
Webb	1,435
Duval	892
Nueces	2,569
San Patricio	928
LaSalle	441
McMullen	141
Dimmitt	754

Total.....13,954

Twenty-fourth District.

Bexar	19,611
Bandera	774
Kendall	824
Kerr	960
Gillespie	1,794

Total.....23,963

Twenty-fifth District.

Kimble	489
Menard	460
Schleicher	333
Sutton	289
Crockett	200
Tom Green	2,194
Coke	737
Sterling	274
Irion	236
Pecos	418
Brewster	444
Presidio	493
Jeff Davis	215
El Paso	5,483
Val Verde	894
Edwards	543
Kinney	452
Uvalde	1,391
Medina	1,510
Zavala	275
Reeves	668
Maverick	386
Mason	1,069

Total.....19,453

Twenty-sixth District.

Erath	4,912
Comanche	4,352

	Pop. 1910.
Mills	1,528
San Saba	1,794
McCulloch	1,819
Concho	850
Runnels	3,020
Coleman	3,079
Brown	3,740
Llano	1,181
Total.....	26,275

Twenty-seventh District.

Bell	7,775
Coryell	3,538
Hamilton	2,632
Bosque	3,136
Total.....	17,081

Twenty-eighth District.

Palo Pinto	3,222
Stephens	1,219
Eastland	3,468
Callahan	1,982
Taylor	3,539
Nolan	1,398
Mitchell	1,236
Howard	1,011
Martin	238
Andrews	199
Glasscock	162
Midland	407
Ector	241
Winkler	107
Loving .....	....
Ward	242
Crane .....	....
Upton	80
Gaines	230
Yoakum	120
Terry	268
Lynn	275
Dawson	314
Borden	238
Garza	256
Kent	261
Scurry	1,669
Fisher	1,765
Stonewall	835
Haskell	2,320
Jones	3,053
Shackelford	583

Total.....30,938

Twenty-ninth District.

Jack	1,969
Young	2,319
Throckmorton	813
Clay	2,522
Archer	1,066
Wichita	2,515
Wilbarger	1,903
Baylor	1,232

	Pop. 1910.
Knox	1,436
Foard	880
Hardeman	1,673
King	127
Dickens	479
Bailey .....	....
Lamb	89
Hale	1,091
Floyd	910
Motley	485
Cottle	615
Lubbock	625
Hockley .....	....
Cockran .....	....
Crosby	337
Childress	1,428
Hall	1,339
Briscoe	321
Swisher	712
Castro	303
Parmer	162
Deaf Smith	485
Randall	536
Armstrong	495
Donley	818
Collingsworth	784
Wheeler	857
Gray	519
Carson	341
Potter	1,669
Oldham	154
Hartley	167
Moore	152
Hutchinson	165
Roberts	171
Hemphill	444
Lipscomb	428
Ochiltree	275
Hansford	160
Sherman	218
Dallam	565

Total.....36,754

Thirtieth District.

Tarrant	16,678
Parker	4,138
Hood	1,622
Somervell	648

Total.....23,086

Thirty-first District.

Denton	4,477
Wise	4,181
Montague	3,791

Total.....12,449

EXHIBIT B.

REPRESENTATIVE DISTRICTS.

The following shows the arrangement of the present representative

districts and the population of the counties composing the same, showing the population of each county by the Federal Census in 1910 and 1900:

First District.			
Counties.	No. Rep.	Pop. 1910	Pop. 1900
Bowie	1	34,827	26,676
Second District.			
Red River	1	28,564	29,893
Third District.			
Red River		28,564	29,893
Titus		16,422	12,292
Morris	1	10,439	8,220
		55,425	50,405
Fourth District.			
Lamar	2	46,544	48,627
Fifth District.			
Delta		14,566	15,249
Franklin		9,331	8,674
Hopkins	1	31,038	27,950
		54,935	51,873
Sixth District.			
Hopkins	1	31,038	27,950
Seventh District.			
Cass	1	27,587	22,841
Eighth District.			
Marion		10,472	10,754
Harrison	1	37,243	31,878
		47,715	42,632
Ninth District.			
Harrison	1	37,243	31,878
Tenth District.			
Camp		9,551	9,146
Upshur	1	19,960	16,266
		29,511	25,412
Eleventh District.			
Wood	1	23,417	21,048
Twelfth District.			
Smith	1	41,746	37,370
Thirteenth District.			
Smith		41,746	37,370
Gregg	1	14,140	12,343
		55,886	49,713
Fourteenth District.			
Panola	1	20,424	21,404

Counties.	No. Rep.	Pop. 1910	Pop. 1900
Fifteenth District.			
Rusk	1	26,946	26,099
Sixteenth District.			
Cherokee	1	29,038	25,154
Seventeenth District.			
Nacogdoches ...	1	27,406	24,663
Eighteenth District.			
Shelby	1	26,423	20,452
Nineteenth District.			
Polk		17,459	14,447
Angelina		17,705	13,481
San Jacinto		9,542	10,277
San Augustine ..		11,264	8,434
		55,970	46,639
Twentieth District.			
Sabine		8,582	6,394
Newton		10,850	7,282
Jasper	1	14,000	7,138
		33,432	20,814
Twenty-first District.			
Tyler		10,250	11,899
Hardin		12,947	5,049
Liberty		10,686	8,102
Chambers	1	4,234	3,046
		38,117	28,096
Twenty-second District.			
Jefferson		38,182	14,239
Orange	1	9,528	5,905
		47,710	20,144
Twenty-third District.			
Galveston	2	44,479	44,116
Twenty-fourth District.			
Harris	3	115,693	63,786
Twenty-fifth District.			
Fort Bend		18,168	16,538
Waller	1	12,138	14,246
		30,306	30,784
Twenty-sixth District.			
Montgomery ...		15,679	17,067
Trinity		12,768	10,976
Walker	1	16,061	15,813
		44,508	43,856
Twenty-seventh District.			
Houston	1	29,564	25,452
Twenty-eighth District.			
Anderson	1	29,650	28,015

Counties.	No. Rep.	Pop. 1910	Pop. 1900	Counties.	No. Rep.	Pop. 1910	Pop. 1900
Twenty-ninth District.				Forty-seventh District.			
Henderson	1	20,131	19,970	Washington	1	25,561	32,931
Thirtieth District.				Lee	1	13,132	14,595
Van Zandt	1	25,651	25,481			38,693	47,526
Thirty-first District.				Forty-eighth District.			
Kaufman	1	35,323	33,376	Burleson	1	18,687	18,367
Thirty-second District.				Forty-ninth District.			
Kaufman		35,323	33,376	Austin	1	17,699	20,676
Van Zandt		25,651	25,481	Fiftieth District.			
Rains	1	6,787	6,127	Colorado	1	18,897	22,203
		67,761	64,984	Fifty-first District.			
Thirty-third District.				Lavaca	1	26,418	28,121
Hunt	2	48,116	47,295	Fifty-second District.			
Thirty-fourth District.				Lavaca		26,418	28,121
Fannin	2	44,801	51,793	Wharton	1	21,123	16,942
Thirty-fifth District.						47,541	45,063
Grayson	3	65,996	63,661	Fifty-third District.			
Thirty-sixth District.				Matagorda		13,594	6,097
Collin	2	49,021	50,087	Brazoria	1	13,299	14,861
Thirty-seventh District.						26,893	20,958
Dallas	3	135,748	82,726	Fifty-fourth District.			
Thirty-eighth District.				Bee		12,090	7,720
Dallas		135,748	82,726	Jackson		6,471	6,094
Rockwall	1	8,072	8,531	Victoria		14,990	13,678
		143,820	91,257	Calhoun		3,635	2,395
Thirty-ninth District.				Refugio	1	2,814	1,641
Ellis	2	53,629	50,059			40,000	31,528
Fortieth District.				Fifty-fifth District.			
Navarro	2	47,070	43,374	DeWitt	1	23,501	21,311
Forty-first District.				Fifty-sixth District.			
Freestone	1	20,557	18,910	Gonzales	1	28,055	28,882
Forty-second District.				Fifty-seventh District.			
Limestone	1	34,621	32,573	Fayette	1	29,796	36,541
Forty-third District.				Fifty-eighth District.			
Leon		16,583	18,072	Fayette	1	29,796	36,541
Madison	1	10,318	10,432	Bastrop		25,344	26,845
		26,901	28,504			55,140	63,386
Forty-fourth District.				Fifty-ninth District.			
Grimes	1	21,205	26,106	Bastrop	1	25,344	26,845
Forty-fifth District.				Sixtieth District.			
Brazos	1	18,919	18,859	Caldwell	1	24,237	21,765
Forty-sixth District.				Sixty-first District.			
Washington	1	25,561	32,931	Travis	2	55,620	47,386
				Sixty-second District.			
				Williamson	1	42,228	38,072

Counties.	No. Rep.	Pop. 1910	Pop. 1900	Counties.	No. Rep.	Pop. 1910	Pop. 1900
Sixty-third District.				Seventy-ninth District.			
Williamson		42,228	38,072	Denton	1	31,258	28,318
Burnet	1	10,756	10,528	Eightieth District.			
		52,983	48,600	Wise	1	26,450	27,116
Sixty-fourth District.				Eighty-first District.			
Milam	1	36,780	39,666	Cook	1	26,603	27,494
Sixty-fifth District.				Eighty-second District.			
Robertson	1	27,454	31,480	Montague	1	25,123	24,800
Sixty-sixth District.				Eighty-third District.			
Milam		36,780	39,666	Clay		17,043	9,231
Robertson	1	27,454	31,480	Jack	1	11,817	10,224
		64,234	71,146			28,860	19,455
Sixty-seventh District.				Eighty-fourth District.			
Falls	1	35,649	33,342	Palo Pinto		19,506	12,291
Sixty-eighth District.				Stephens		7,980	6,466
McLennan	1	73,250	59,772	Shackelford	1	4,201	2,461
Sixty-ninth District.						31,687	21,218
McLennan	1	73,250	59,772	Eighty-fifth District.			
Falls		35,649	33,342	Eastland	1	23,421	19,971
Limestone		34,621	32,573	Eighty-sixth District.			
		143,520	125,687	Comanche	1	27,186	23,009
Seventieth District.				Eighty-seventh District.			
Bell	2	49,186	45,535	Hamilton		15,315	13,520
Seventy-first District.				Mills	1	9,694	7,851
Coryell	1	21,703	21,308			25,009	21,371
Seventy-second District.				Eighty-eighth District.			
Hill	2	46,760	41,355	Lampasas		9,532	8,625
Seventy-third District.				McCulloch		13,405	3,960
Johnson	1	34,460	33,819	San Saba		11,245	7,569
Seventy-fourth District.				Mason	1	5,683	5,573
Johnson		34,460	33,819			39,865	25,727
Bosque	1	19,013	17,390	Eighty-ninth District.			
		53,473	51,209	Llano		6,520	7,301
Seventy-fifth District.				Blanco		4,311	4,703
Erath	1	32,095	29,966	Gillespie	1	9,447	8,229
Seventy-sixth District.						20,278	20,233
Erath		32,095	29,966	Ninetieth District.			
Somervell		3,931	3,498	Hays		15,518	14,142
Hood	1	10,008	9,146	Comal	1	8,434	7,008
		46,034	42,610			23,952	21,150
Seventy-seventh District.				Ninety-first District.			
Parker	1	26,331	25,823	Guadalupe	1	24,913	21,385
Seventy-eighth District.				Ninety-second District.			
Tarrant	2	108,572	52,376	Bexar	3	119,676	69,422

Counties.	No. Rep.	Pop. 1910	Pop. 1900	Counties.	No. Rep.	Pop. 1910	Pop. 1900
Ninety-third District.				Ward		2,389	1,451
Willson		17,066	13,961	Crane		331	51
Atascosa	1	10,004	7,143	Upton		501	48
		27,070	21,104	Ector		1,178	381
Ninety-fourth District.				Midland		3,464	1,741
Aransas		2,106	1,716	Glasscock		1,143	286
San Patricio		7,307	2,372	Andrews		975	87
Duval		8,964	8,483	Martin		1,549	332
Nueces	1	21,955	10,439	Howard		8,881	2,528
		40,332	23,010	Mitchell		8,956	2,855
Ninety-fifth District.				Nolan		11,999	2,611
Cameron		27,158	16,095	Fisher		12,596	3,708
Hidalgo		13,728	6,837	Scurry	1	10,924	4,158
Starr		13,151	11,469	Borden		1,386	776
Zapata	1	3,809	4,760	Dawson		2,320	37
		57,846	39,161	Gaines		1,255	55
Ninety-sixth District.				Yoakum		602	26
Webb	1	22,503	21,851	Terry		1,474	48
Ninety-seventh District.				Lynn		1,713	17
McMullen		1,091	1,024	Garza		1,995	185
LaSalle		4,747	2,303	Kent		2,655	899
Dimmitt		3,460	1,106	Crosby		1,765	788
Zavalla		1,889	792	Lubbock		3,624	293
Frio		8,895	4,200	Hockley		137	44
Medina		13,415	7,783	Cochran	1	65	25
Uvalde		11,233	4,647			84,568	23,523
		44,730	21,855	One Hundred and Second District.			
Ninety-eighth District.				Tom Green		17,882	6,804
Bandera		4,921	5,332	Irion		1,283	848
Kendall		4,517	4,103	Coke		6,412	3,430
Kerr		5,505	4,980	Runnels		20,858	5,379
Kimble		3,261	2,503	Concho		6,654	1,427
Edwards	1	3,768	3,108	Menard		2,707	2,011
		21,972	20,026	Sutton		1,569	1,727
Ninety-ninth District.				Schleicher		1,893	515
Kinney		3,401	2,447	Sterling		1,493	1,127
Val Verde		8,613	5,263	Crockett	1	1,296	1,591
Maverick		5,151	4,066			62,047	24,859
Pecos		2,071	2,360	One Hundred and Third District.			
Brewster		5,220	2,356	Jones		24,299	7,053
Presidio		5,218	3,673	Taylor		26,293	10,499
Jeff Davis		1,678	1,150	Callahan	1	12,973	8,768
Reeves	1	4,392	1,847			63,565	26,320
		35,744	23,162	One Hundred and Fourth District.			
One Hundredth District.				Young		13,657	6,540
El Paso	1	52,599	24,886	Throckmorton		4,563	1,750
One Hundred and First District.				Haskell		16,249	2,637
Loving		249	33	Stonewall		5,320	2,183
Winkler		442	60	Knox		9,625	2,322
One Hundred and Fifth District.				Baylor		8,411	3,052
Wichita		16,094	5,806	Archer	1	6,525	2,508
Wilbarger		12,000	5,759			64,350	20,992
Hardeman		11,213	3,634				

Counties.	No. Rep.	Pop. 1910	Pop. 1900
Foard		5,726	1,568
King		810	490
Dickens		3,092	1,151
Motley		2,396	1,257
Cottle		4,396	1,002
Childress		9,538	2,138
Hall	1	8,279	1,670
		<hr/> 73,544	<hr/> 24,475

One Hundred and Sixth District.

Floyd		4,638	2020
Hale		7,566	1,680
Lamb		540	31
Bailey		312	4
Parmer		1,555	34
Castro		1,850	400
Swisher		4,012	1,227
Briscoe		2,162	1,253
Collingsworth ..		5,284	2,756
Armstrong		2,682	1,205
Randall		3,312	963
Deaf Smith		3,942	843
Oldham		812	349
Potter		12,424	1,820
Carson		2,127	469
Gray		3,405	480
Wheeler		5,258	636
Hemphill		3,170	815
Roberts		950	620
Hutchinson		892	303
Moore		561	209
Hartley		1,298	377
Dallam		4,001	146
Sherman		1,376	104
Hansford		935	167
Ochiltree		1,602	267
Lipscomb	1	2,634	790
		<hr/> 84,524	<hr/> 21,201

One Hundred and Seventh District.

Brown		22,935	16,019
Coleman	1	22,618	10,077
		<hr/> 45,543	<hr/> 26,096

One Hundred and Eighth District.

Tarrant		108,572	52,376
Denton		31,258	28,318
Wise		26,450	27,116
Cooke	1	26,603	27,494
		<hr/> 192,883	<hr/> 135,304

One Hundred and Ninth District.

Karnes		14,942	8,681
Goliad		9,909	8,310
Live Oak	1	3,442	2,268
		<hr/> 28,293	<hr/> 19,259

APPENDIX B.

Following is the message from the Governor received today.

Governor's Office,
Austin, Texas, July 31, 1911.

To the Texas Legislature.

As provided in Section 40 of Article 3 of the Constitution of Texas, I herewith present to you the following additional subjects for legislation, and respectfully ask that laws be enacted in harmony with the suggestions herein made on said subjects.

1. The passage of a bill providing for the payment of deficiencies arising out of the administration of public affairs.

2. Fix the ad valorem tax rate for general revenue purposes, and for the maintenance of public free schools of the State, and the repeal of Chapter 98, Acts of the Twenty-ninth Legislature, Regular Session, and Chapter 13, Acts of the First Called Session of the Twenty-ninth Legislature, known as the "automatic tax law."

In discussing this latter subject in a special message to the Regular Session of the present Legislature, the following comment was made by me:

"The Constitution prohibits the Legislature from issuing bonds in excess of \$200,000.00 to meet deficiencies. The prospect, therefore, is that unless the Legislature greatly retrenches, the State's warrants will be hawked about the streets of Austin, before the first of September, without money in the Treasury to pay them. This, in my opinion, is largely due to the fact that the Legislature in passing the so-called automatic tax law surrendered to the Executive Department its constitutional prerogative to raise the revenue to meet the expenses of the Government. The raising of the revenue is clearly a legislative function. Section 33 of Article 3 of the Constitution says that "all bills for raising revenue shall originate in the House of Representatives," and clearly negatives the idea that the power to fix the tax rate for public purposes can be conferred upon a committee composed of heads of executive departments. The Governor, the Comptroller and Treasurer, who are named as the Automatic Tax Board, are all

three designated by Article 4, Section 1 of the Constitution as members of the executive department. Article 2 of the Constitution is in the following language:

"Section 1. The power of the government of the State of Texas shall be divided into three distinct departments, each of which shall be confided to a separate body of magistracy, to wit: Those which are legislative to one, those which are executive to another, and those which are judicial to another; and no person, or collection of persons, being of one of these departments, shall exercise any power properly attached to either of the others, except in the instances herein expressly permitted."

"Nothing can be plainer, therefore, than that the automatic tax law is unconstitutional, and the tax levied and collected for State purposes under that statute has been unlawfully done. By virtue of this automatic tax law the executive branch of the Government has exercised legislative functions. All bills fixing rates for the raising of revenue until this law was enacted in 1907, originated in the House of Representatives, and not in the Governor's office. Had the tax rate been fixed by the Legislature, in accordance with the constitutional provisions I have referred to, it would have been based upon estimated requirements, as shown by the Legislature's appropriation bills, and could not have been manipulated so as to take advantage of unforeseen conditions and utilize it, as it has been done, for political purposes.

"I earnestly insist upon a return to the constitutional method of raising revenue and fixing the tax rate. From present indications it will require from five to five and one-half million dollars to meet the requirements of the appropriation bill for the next fiscal year. Add to this sum unavoidable deficiencies under present laws and conditions of one million dollars, and it will require six to six and one-half millions to meet the requirements of the Government for the next fiscal year. Estimating the amount which will come into the Treasury from all 'other sources' than the ad valorem tax for this and next year will equal that from 'other sources' for last year, it will still leave two and one-half to three million which the Legislature will have

to raise from an advalorem tax on property."

The legacy of expense and insufficient revenue which we have inherited from the last administration and Legislature is due to the manipulation of revenues and the unwarranted exercise of legislative power by the Executive Department.

I invoke the Legislature's earnest and patriotic consideration of this matter.

Respectfully submitted,
O. B. COLQUITT,
Governor of Texas.

THIRD DAY.

Senate Chamber,
Austin, Texas,

Wednesday, August 2, 1911.

The Senate met pursuant to adjournment, and was called to order by President Pro Tem. Terrell.

Roll call, quorum being present, the following Senators answering to their names:

Adams.	Meachum.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, McLennan
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.

Absent.

Murray.	Willacy.
Perkins	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, on motion of Senator Cofer the same was dispensed with.

See Appendix for Standing Committee reports.

Morning call concluded.

SENATE BILL NO. 1.

(By Unanimous Consent.)

On motion of Senator Weinert, the Senate rule requiring committee re-